

The House Committee on Appropriations offers the following substitute to HR 228:

A RESOLUTION

1 Proposing an amendment to the Constitution so as to provide that funds derived from sales
2 and use and motor fuel taxes with respect to jet fuel and aviation gasoline and sales and use
3 taxes with respect to locomotive fuel shall be allocated for activities incident to providing
4 and maintaining an adequate system of public-use airports and railroads in this state,
5 respectively; to authorize the General Assembly to specify and direct the use of such funds
6 by general law; to provide for submission of this amendment for ratification or rejection; and
7 for other purposes.

8 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 SECTION 1.

10 Article III, Section IX, Paragraph VI of the Constitution is amended by revising
11 subparagraph (b) as follows:

12 "(b) ~~Am~~ Except as otherwise provided in Paragraphs VIII and IX of this article, an
13 amount equal to all money derived from motor fuel taxes received by the state in each of
14 the immediately preceding fiscal years, less the amount of refunds, rebates, and collection
15 costs authorized by law, is hereby appropriated for the fiscal year beginning July 1, of each
16 year following, for all activities incident to providing and maintaining an adequate system
17 of ~~public~~ public-use roads and bridges in this state, as authorized by laws enacted by the
18 General Assembly of Georgia, and for grants to counties by law authorizing road
19 construction and maintenance, as provided by law authorizing such grants. Said sum is
20 hereby appropriated for, and shall be available for, the aforesaid purposes regardless of
21 whether the General Assembly enacts a general appropriations Act; and said sum need not
22 be specifically stated in any general appropriations Act passed by the General Assembly
23 in order to be available for such purposes. However, this shall not preclude the General
24 Assembly from appropriating for such purposes an amount greater than the sum specified
25 above for such purposes. The expenditure of such funds shall be subject to all the rules,
26 regulations, and restrictions imposed on the expenditure of appropriations by provisions
27 of the Constitution and laws of this state, unless such provisions are in conflict with the

1 provisions of this ~~paragraph~~ Paragraph. And provided, however, that the proceeds of the
2 tax hereby appropriated shall not be subject to budgetary reduction. In the event of
3 invasion of this state by land, sea, or air or in case of a major catastrophe so proclaimed by
4 the Governor, said funds may be utilized for defense or relief purposes on the executive
5 order of the Governor."

6 SECTION 2.

7 Article III, Section IX of the Constitution is amended by adding new Paragraphs to read as
8 follows:

9 "Paragraph VIII. ***Public-use airports improvement fund.*** An amount of money equal
10 to all money derived from sales and use and motor fuel taxes with respect to jet fuel and
11 aviation gasoline received by the state in each of the immediately preceding fiscal years,
12 less the amount of refunds, rebates, and collection costs authorized by law, is hereby
13 allocated to the regional public-use airports improvement fund for the fiscal year beginning
14 July 1, of each year following, for all activities incident to providing and maintaining an
15 adequate system of regional public-use airports in this state. The General Assembly is
16 specifically authorized to allocate and specify and direct the use of the sum provided for
17 under this Paragraph by general law. The sum provided for under this Paragraph is
18 appropriated for, and shall be available for, the airport purposes authorized under this
19 Paragraph regardless of whether the General Assembly enacts a general appropriations Act;
20 and said sum need not be specifically stated in any general appropriations Act passed by
21 the General Assembly in order to be available for such purposes. However, this shall not
22 preclude the General Assembly from appropriating for such purposes an amount greater
23 than the sum specified above for such purposes. The expenditure of such funds shall be
24 subject to all the rules, regulations, and restrictions imposed on the expenditure of
25 appropriations by provisions of the Constitution and laws of this state, unless such
26 provisions are in conflict with the provisions of this Paragraph; provided, however, that the
27 proceeds of the tax appropriated under this Paragraph shall not be subject to budgetary
28 reduction. In the event of invasion of this state by land, sea, or air or in case of a major
29 catastrophe so proclaimed by the Governor, said funds may be utilized for defense or relief
30 purposes on the executive order of the Governor.

31 Paragraph IX. ***Railroad improvement fund.*** An amount of money equal to all money
32 derived from sales and use taxes with respect to locomotive fuel received by the state in
33 each of the immediately preceding fiscal years, less the amount of refunds, rebates, and
34 collection costs authorized by law, is hereby allocated to the railroad improvement fund for
35 the fiscal year beginning July 1, of each year following, for all activities incident to
36 providing and maintaining an adequate system of railroads in this state. The General

1 Assembly is specifically authorized to allocate and specify and direct the use of the sum
2 provided for under this Paragraph by general law. The sum provided for under this
3 Paragraph is appropriated for, and shall be available for, the railroad purposes authorized
4 under this Paragraph regardless of whether the General Assembly enacts a general
5 appropriations Act; and said sum need not be specifically stated in any general
6 appropriations Act passed by the General Assembly in order to be available for such
7 purposes. However, this shall not preclude the General Assembly from appropriating for
8 such purposes an amount greater than the sum specified above for such purposes. The
9 expenditure of such funds shall be subject to all the rules, regulations, and restrictions
10 imposed on the expenditure of appropriations by provisions of the Constitution and laws
11 of this state, unless such provisions are in conflict with the provisions of this Paragraph;
12 provided, however, that the proceeds of the tax appropriated under this Paragraph shall not
13 be subject to budgetary reduction. In the event of invasion of this state by land, sea, or air
14 or in case of a major catastrophe so proclaimed by the Governor, said funds may be utilized
15 for defense or relief purposes on the executive order of the Governor."

16 SECTION 3.

17 The above proposed amendment to the Constitution shall be published and submitted as
18 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the
19 above proposed amendment shall have written or printed thereon the following:

20 "() YES Shall the Constitution of Georgia be amended so as to provide that funds
21 derived from sales and use and motor fuel taxes with respect to jet fuel and
22 () NO aviation gasoline and sales and use taxes with respect to locomotive fuel
23 shall be allocated for activities incident to providing and maintaining an
24 adequate system of public-use airports and railroads, respectively, and to
25 authorize the General Assembly to specify and direct the use of such funds
26 by general law?"

27 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."
28 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If
29 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall
30 become a part of the Constitution of this state.